

From San Francisco: March 15
Korea March 15
For San Francisco: March 8
Siberia March 8
From Vancouver: March 5
Moana March 5
For Vancouver: March 31
Aorangi March 31

EVENING BULLETIN

3.30 EDITION

A Good Store Will Thrive Under Bulletin Advertising---A Poor One Can't

THERE ARE a dozen ways open to the Honolulu housewife looking for a servant, but no way is as comfortable, certain, and cheap as the BULLETIN Want-Ad. Way!

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STRAUS SLATED FOR AMBASSADOR TO JAPAN

LIQUOR DEALERS DISCUSS AMENDMENTS

LIQUOR DEALERS STATE THEIR CASE

President Lishman Files Statement With Senate Committee—Where Discretion of Liquor Commission May Be Abused—Renewal of Licenses—Right of Appeal—Restaurants

Following is the statement of the liquor-dealers' position on pending legislation to control the liquor traffic filed with the Ways and Means Committee of the Senate:

To the Honorable the Chairman of the Ways and Means Committee of the Senate:

It is not the desire herein to characterize any bill concerning the manufacture or sale of intoxicating liquors as the "best" or "worst" ever presented or legalized as law. These remarks are intended solely to disclose the object of the proposed amendments and the evils that these amendments are designed to correct.

It is proposed by the amendments of Sections 4, 24, 25 and 31, to eliminate the discretionary powers of the Board and place the exercise of that discretion upon the property-holders adjoining the premises to be licensed.

Discretion of Board. Were the discretionary powers of the Board subject to some limitation, the act would in that respect be unobjectionable, but the reweaving of arbitrary, unreasonable, and unfair decisions in respect to applications for renewals, suspensions, or revocations of licenses, is so great as to make a person engaged in the manufacture of sale of intoxicating liquors the mere puppet of the Board.

Little is known and less appreciated of the provisions of the existing act. And the "discretionary" powers of the Board are in themselves ample justification for the amendments proposed in that regard.

Section 4 provides that each Board within its own county shall have the sole power, authority, and discretion to grant, refuse, suspend, revoke, regulate, and control licenses to sell intoxicating liquors in each county subject only to the limitations and directions contained in the act. It is provided by the same section "that the exercise of the power and authority vested in the Board shall be final in each case and shall not be reviewable by or appealable to any court or tribunal."

Grant and Refuse. First let us consider the power "to grant or refuse" licenses. In cases of applicants other than

those disqualified under the provisions of Section 18, the Board may grant one or more licenses. It may grant or refuse, guided only by its own opinion, whim, or fancy. It neither assigns nor is it obliged to assign any reason for the refusal of an application. Its stated grounds for refusal (if any are given), may be false and not its true grounds. Its powers of discretion are without limitation and whether arbitrary, unreasonable, or unfair, there is no redress. It may grant a license to one person in preference to another without reference to any priority in the order of filing applications. Its hearings are secret; its information may be received ex parte. It may take notice of any matter or thing which in the opinion of a majority of its members would be a sufficient objection to the granting of a license. It may consider accusations of which it is the sole judge of whether or not the applicant shall have an opportunity of answering. The procedure upon an application for or renewal of a license depends entirely upon the gracious discretion of the Board. No method of representation is provided by the act and can be refused by the Board. No method of cross-examination of a protester is provided, nor admitted. An applicant may be charged with a felony and either be in ignorance of it (it having been received by the Board ex parte) or knowing of it be denied an opportunity of either proving the falsity of the charge or catechizing the informant.

Such are the conditions under the discretionary powers of the Board "to grant or refuse" licenses, and to such conditions an applicant for a license is called upon to submit. Upon the Board rests the exclusive sovereign grace to grant or refuse licenses. However erroneous its decisions, however arbitrary and unreasonable or unfair its reasons, its decision is final and binding and the applicant has neither appeal nor redress.

Local Option. The act provides a method of local option depending upon the desires of adjoining property holders. Failure

(Continued on Page 4)

ACTION ON FISH BILL DEFERRED

Coelho's Measure Goes Over Until Later In Month

STATEHOOD RESOLVE UP FROM HOUSE

Senate Passes Raft of Bills on Third Reading—Fisherman's License Bills Laid on Table Temporarily

SENATE

Sixteenth Day—Morning Session. Senator Coelho's alien fishing bill, which provides that none but citizens of the United States shall be allowed to fish in the fisheries of this Territory, will not be acted upon until March 17. The bill was scheduled for third reading this morning, but when it came up, Senator Chillingworth asked for more time to look into the matter.

Senator Fairchild asked if there were not a Federal law, covering the matter in question, but providing no penalty for violation. Senator Coelho said that he believed such to be the case. "Twas then that Chillingworth explained that there was some doubt concerning the Federal statute, and asked that action be deferred until Saturday. Senator Robinson amended the motion so as to have the bill come up on March 17. The amended motion passed.

State Constitution. The first matter brought before the Senate this morning was House Concurrent Resolution No. 13, asking Congress to enact a law allowing the holding of a convention in Hawaii to draw up a State constitution. The resolution was referred to the Judiciary Committee for consideration and report.

Senator Chillingworth introduced a resolution calling for the appointment of a committee of three to examine into the progress of the work on the Nuuanu dam.

Coelho felt that the expenses to be incurred by the committee in its work should be limited, saying that the last examination cost \$3000. Nevertheless the resolution passed without modification.

Sensors Chillingworth, Knudsen, and Fairchild were named by President Smith as the members of the committee.

Appeal For Territory. Senator Chillingworth, under suspension of the rules, introduced a bill providing for appeals by the Territory in certain criminal cases. The bill passed first reading and was referred to the Printing Committee.

Sensor Fairchild introduced a bill regulating the expenditure of public monies. This is a bill drafted by the

(Continued on Page 3)

Heroic Act

With the chances a hundred to one against him, Robert Akeo, employed in a livery stable on upper Fort street, sprang into a buggy drawn by a frantic, runaway horse this afternoon, and with absolute forgetfulness of his own safety, seized a brown-haired baby girl from the seat, and jumped with her to safety.

The runaway, a spirited horse, without bridle, hitched to a light top buggy, passed down King street and up Fort, a mob of frantic people in carriages, autos, and on horseback following.

At every turn it looked as though the baby must be killed, but as the horse turned up by the Club Stables, Akeo made a flying leap, landed in the buggy, seized the child, and jumped out again. He rolled over and over, but he protected the child from injury.

SUPERVISORS WILL CONFIRM WILSON

Mayor's Choice For Road Supervisor Will Get Job

Wilson will be road overseer for Honolulu district. Kane's announcement that he would vote for the confirmation of the Mayor's appointee, is followed by the statement of another Supervisor to the effect that the Republican majority of the Board has agreed to His Honor's choice of a man to look after the roads of this district.

In fact, had it not been that Aylett balked at the ninth hour, the Board would have called upon the Mayor in his office, immediately after the meeting last Friday night, and would then have made the proposition to bury the hatchet as far as Honolulu's road supervisor is concerned.

"We realize that Cummins has not the ghost of a show," said a Supervisor last night, "and we do not want to stand in the way of the appointment of any good man. I told the Mayor that we were ready to confirm his appointment of Wilson, and said that the Board would wait on him."

"We are unwilling to confirm the

(Continued on Page 3)

HOUSE SHIES AT NAKALEKA'S BILL

Doesn't Want To Pass Measure; Afraid Not To

COHEN TAKES SHOT AT INCOME TAX PRINCIPLE

Sheldon Would Protect Automobiles; Makekau the Birds—Alfonso the Ubiquitous Wants a Morgue

HOUSE.

Sixteenth Day—Morning Session. The introduction of new bills and resolutions took up most of the time of the House this morning. There were only three bills on the order of the day for third reading, and the members were afraid of two of them and sidled out from under, deferring action until some future day. That measure of Nakaleka's boosting the pay of road laborers gives some of the Representatives the shivers every time it bobs up. They don't want to pass it and they are afraid to kill it. So they procrastinate, hoping that something will happen to help them out of the disagreeable hole they find themselves in.

There is going to be fun when the various tax bills come up for final consideration. Cohen hates the very idea of an income tax and is ready to fight anything that even suggests the obnoxious principle. On the other hand, there are several members of the House who believe that the only way to keep the country from going to the bow-wows is for the Legislature to base all taxation on the income tax principle. When these two forces come together in conflict, the fur is bound to fly. Cohen took his first shot this morning when he heaved a brick at the Governor's conservation and immigration bill, which is based on an income tax. He lost the first skirmish, but that only made him the more eager to meet the enemy again.

The Hoodoo Bill. Nakaleka's hoodoo bill No. 35, to raise the pay of road laborers to \$1.50, which has had many vicissitudes, was once more on the order of the day this morning. There is a hoodoo on the measure, though. The members of the House seem to be afraid of it. They know it is foolish to pass the bill, yet most of them are afraid to go on record as opposing it. So they keep putting off the evil day when they must show down their hands.

Kanahu asked that his amendment to make the figure \$2 be read, but was reminded that it had been killed. So he promptly offered another amendment, to make the pay of road laborers \$2 in the City and County of Honolulu and \$1.50 elsewhere.

Kana moved to defer action until Friday—and it was done.

Also Deferred. House Bill 40, introduced by Coney, giving the Superintendent of Public Works authority to shut off the water from the property of Honolulu residents

(Continued on Page 2)

STRAUS MAY BE MINISTER TO JAPAN

WASHINGTON, D. C., March 8.—It is stated unofficially that Oscar Straus, former Secretary of Commerce and Labor in the Roosevelt Cabinet, will be appointed by President Taft as American Ambassador to Japan.

It will be remembered that Secretary Straus took an active hand at the time the agitation against the Japanese in San Francisco was at its height. He visited Honolulu at the same time as Commissioner Ishii, representing the Japanese Government.

CORTELYOU'S FAT JOB

WASHINGTON, D. C., March 8.—Former Secretary of the Treasury Geo. B. Cortelyou has been elected President of the Consolidated Gas Co. of New York City.

TAFT TO TRAVEL

WASHINGTON, D. C., March 8.—President Taft will make a tour of the Western and Southern States during the autumn months.

CERVERA IMPROVING

CADIZ, Spain, March 8.—Admiral Cervera, whose life was despaired of, is improving.

ALFONSO VISITS MOROCCO

CEUTA, Morocco, March 8.—King Alfonso of Spain has arrived here!

GOVERNMENT WINS ELECTIONS

ROME, Italy, March 8.—The Italian Government was generally victorious in the elections held today.

POPE IS BETTER

ROME, Italy, March 8.—Pope Pius is much improved in health.

REVIVE NAVY YARDS

WASHINGTON, D. C., March 8.—The navy yards at Pensacola, Fla., and New Orleans, La., that have been practically abandoned of late years, will be restored.

STEEL TRUST BUYS ISLAND

DETROIT, Mich., March 8.—The United States Steel Corporation has purchased Isle Royal in Lake Superior. This place is a rich copper and timber property.

ATCHERLEY AFTER HEMENWAY'S SCALP

The following communication from Dr. Atcherley was presented to the Senate this afternoon, and referred to the Judiciary Committee:

"I wish to call attention to the fact that during the recent attempt to bound me into the insane Asylum by bringing a charge of insanity against me, Mr. Hemenway transgressed the laws of the Territory and exceeded his powers by ordering my arrest by force without a warrant, etc. I have, therefore, to lodge this complaint: That on Wednesday, February 3, 1909, an attempt was made by special police officers of County Sheriff Jarrett, at the corner of King street and Kamehameha Fourth road, Kalili, to apprehend me. I, of course, refused to submit, and it was to prevent any such attempts being successful that Mr. Mageon kept me

hidden away in his office until Feb. 8, 1909.

"Mr. Mageon thought it not safe for me to appear again on the street. I had a hearing before the Supreme Court, but the attempt to kidnap me was repeated.

"This question, gentlemen, is one that concerns not only myself, but the liberty of every citizen in the Territory.

"I humbly beg that a thorough investigation be made concerning this conduct of Mr. Hemenway, when many details will be revealed illustrating his high-handed conduct, not only in this affair, but in at least one other which I am acquainted: an affair concerning J. Lee Wallinga's release and the treatment of epilepsy."

Giovanni Conrado, wine merchant, testifying in divorce suit, makes charges against wife and daughter.

W. E. Palmer of the Honolulu Savings Bank is likely candidate for \$10,000 position.

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